

REMARKS/ARGUMENTS

Reconsideration and reversal of the rejections expressed in the Office Action of June 29, 2006 are requested in light of the following.

The Examiner is thanked for all of the courtesies extended to Sean Sherrod, Craig Vander Ploeg, and the undersigned during the telephonic interview of September 28, 2006. In light of this interview, independent claims 6 and 22 have been amended to more clearly recite and better define the invention. Claim 7 has also been amended in view of the amendment to claim 6.

In the aforementioned Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. More particularly, the Examiner indicated that the claims contained subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it most nearly connected, to make and/or use the invention.

It is well known that “[t]he test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation.” *In re Wands*, 858 F.2d at 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988). To comply with 35 U.S.C. § 112, first paragraph, it is not necessary to “enable one of ordinary skill in the art to make and use a perfected, commercially viable embodiment absent a claim limitation to that effect.” *CFMT, Inc. v. Yieldup Int’l Corp.*, 349 F.3d 1333, 1338, 68 USPQ2d 1940, 1944 (Fed. Cir. 2003). Further, a patent need not teach, and preferably omits, what is well known in the art. *In re Buchner*, 929 F.2d 660, 661 18USPQ2d 1331, 1332 (Fed. Cir. 1991).

As discussed during the aforementioned telephonic interview, the specification and drawings of the present application as filed describes the invention in such terms that one skilled in the art could make and use the claimed invention without undue experimentation. With reference to Fig. 2 of the patent application as filed, the motor 180 is illustratively freely mounted to the end of the input shaft 112 through the motor interface 195. As such, the motor interface 195 is coupled to the input shaft 112 and rotates at the same speed as the input shaft 112. As the motor 180 is activated, it will rotate with respect to the rotatable input shaft 112. Linkages 161 rotate with motor 180 and cause a centrifugal weight system 138 to move therewith. Centrifugal weight system 138 includes flyweights 140 and centrifugal reaction arms 142, which may rotate relative to the input shaft 112 through the use of bearings 5 and 6.

In operation, if the input shaft 112 is rotating and the motor 180 is in an off mode, the motor 180 and centrifugal weight system 138 will rotate at the same speed as the input shaft 112, as will the motor interface 195. If the motor 180 is turned on while the input shaft 112 is spinning, the motor interface 195 will remain rotating at substantially the same speed as the input shaft 112. However, the centrifugal weight system 138 speed, and hence the sheave separation, may be fine tuned by varying the speed of the motor 180.

For at least the foregoing reasons, it is respectfully submitted that the specification and drawings as filed are enabling for all the solicited claims. Such enablement was acknowledged by the Examiner during the telephonic interview. As such, it is respectfully submitted that this enablement rejection be formally withdrawn.

Further, the Examiner rejected claims 6 and 22 as not being enabling for lacking essential elements for rotating the centrifugal weight independently of the support shafts. The Examiner indicated that claim 22 lacks enablement for a connection between the means for providing rotation and the weight system.

Claim 6 has been amended in a manner as suggested by the Examiner during the telephonic interview. As such, claim 6 now recites that the centrifugal weight system is rotatable independently of the support shaft through the use of an actuator. In response, claim 7 has been amended to recite that the actuator comprises a motor. Support for such amendments is found throughout the application, and particularly in lines 18-23 of page 7.

Claim 22 has likewise been amended in a manner as suggested by the Examiner to recite a means operably coupled to the support shaft for rotating the centrifugal weight system independently of the rotation of the input shaft. Support for such amendment is found throughout the application, for example, on page 7, lines 7-10.

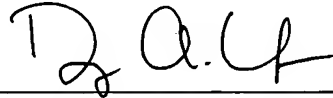
In view of the foregoing, it is respectfully submitted that claims 6 and 22, as amended, as in condition for allowance.

For at least the foregoing reasons, it is respectfully submitted that all of the claims are now in condition for allowance. Such action is respectfully requested.

If necessary, applicants request that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this amendment be charged to the account of Baker & Daniels, LLP, Deposit Account No. 02-0390.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comment arise during the reconsideration of this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. A. Yerkeson', written over a horizontal line.

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